

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

FILED

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2005 FEB 17 P 12:45

ING LIFE INSURANCE AND ANNUITY
COMPANY

Plaintiff,

v.

KUMBIRAI CHIWARA USHE,

FIDES PERDITA USHE AS MOTHER
AND NATURAL GUARDIAN OF
KUMBIRAI CHIWARA USHE,

ZVIDZAI G. USHE,

DUMAZILE Z. USHE,

NTOMBIZODWA KUMALO-USHE
(LAST SPOUSE OF SAMSON CHIWARA
USHE), individually and as Administratrix
of the ESTATE OF SAMSON CHIWARA
USHE

Defendants.

U.S. DISTRICT COURT
DISTRICT OF MASS

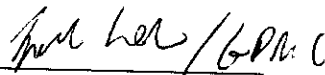
CIVIL ACTION NO. 1:04-11571-GAO

**ZVIDZAI G. USHE'S SUPPLEMENTAL STATEMENT
FOR INITIAL CASE MANAGEMENT CONFERENCE**

I do not agree with the claim by Fides Ushe that my father's wishes be disregarded so that Kumbirai may become the only beneficiary. My father made it know verbally and through the documents he submitted to ING that there are to be 3 beneficiaries to this account namely Zvidzai Ushe (son), Dumazile Ushe (daughter) and Kumbirai Ushe (daughter).

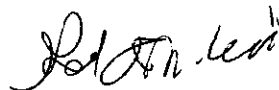
There seems to be some confusion as to my legal representation. We the Ushe family appointed Jane Crosby to represent us on all accounts. I am surprised that she has turned around and decided to represent only one person in the family. In light of this discovery I have discussed with my sister and we will be making it known to Jane Crosby that although agreed that Dumazile Ushe and Ntombizodwa Ushe are to be the are co-petitioners for administration of Samson Chiwara Ushe estate in Hampden County Probate and Family Court, Docket no. 04P1734AD1, Therefore there cannot be any final decision regarding our position as a family without Dumazile's agreement. As of today Dumazile Ushe was not aware that ING would be appearing in a federal court regarding this account. I therefore would like to be given an opportunity to be represented fairly.

Interpleader Defendant,
ZVIDZAI G. USHE,

By 
Zvidzai G. Ushe
3602 Fieldcrest Ln
Ypsilanti, MI 48197-7465
(734) 572-3258 [H]
248-944-0871[W]

CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon all counsel of record by first class mail, postage pre-paid on February 14, 2005.



Gabriel D. M. Ciociola